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PATENT  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Hofmann et al.  
SERIAL No. : 09/403,092  
FILED : October 15, 1999

EXAMINER : Zeman, R  
GROUP No. : 1645

DECLARATION under Rule 132

Hon. Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

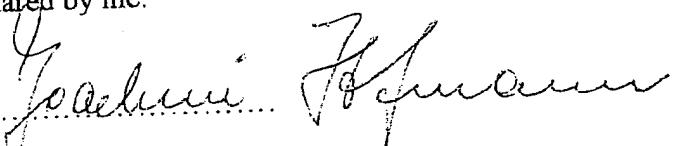
I, Joachim Hofmann, declare as follows:

1. Since 1979, I have professional experience in the field of parasitology. From 1979 to 1989, I was involved in research on human parasitology in the department of chemotherapy, pharma research of Hoechst AG (now Aventis). From 1989 on, I have been involved in research on veterinary parasitology in the animal health business of Hoechst AG (later Hoechst Roussel Vet, now Intervet), since 1989 as head of the biochemical-immunological animal health laboratory, from 1997 on as the head of biochemistry antiparasitics I in drug discovery. My full Curriculum Vitae is enclosed hereunder.
2. I have read and understood the papers by Britton, de Leeuw and Schnieder as discussed by the Examiner in the Official Communication mailed 10/31/00. I have noticed that Britton discloses a 15 kD protein, de Leeuw discloses a 17 kD protein and Schnieder discloses a 18 kD protein, all derived from *Dictyocaulus viviparus*.
3. The 15 kD protein disclosed by Britton has no relation with the DV17 protein as disclosed in the present invention for the simple reason that its sequence, as given in fig. I. (A) at page 79 of Britton, differs completely from the DV17 protein as disclosed in SEQ ID NO: 30 of the present invention.
4. I personally know Thomas Schnieder, the author of the Schnieder document cited by the Examiner. It is known to me from personal communications with Thomas Schnieder that the 18 kD protein as disclosed by Schnieder has no relation with the

DV17 protein as disclosed in the present invention for the simple reason that its sequence differs completely from the DV17 protein as disclosed in the present invention.

5. It is known to me from a personal communication with Thomas Schnieder that the 17 kD protein disclosed by de Leeuw and the 18 kD protein as disclosed by Schnieder both react with the same monoclonal antibody. Given the high specificity of monoclonal antibodies, the 17 kD protein disclosed by de Leeuw and the 18 kD protein as disclosed by Schnieder are similar proteins. Therefore, the 17 kD protein disclosed by de Leeuw and the DV17 protein as disclosed in the present invention are different and unrelated proteins.
6. I declare, on the basis of the arguments provided under points 3, 4 and 5 of this Declaration, that to the best of my knowledge the proteins disclosed by Schnieder, de Leeuw and Britton are different from, and unrelated to the DV17 protein as disclosed in the present invention.
7. All statements made herein of my knowledge are true and all statements made on information and belief are believed to be true; these statements are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 USC and that such willful false statement may jeopardize the validity of the instant patent application or any patent issuing thereon.

Declared by me:

  
Date: 22 March 2001